

**SUPREME COURT MINUTES
MONDAY, JANUARY 5, 1998
LOS ANGELES, CALIFORNIA**

The Supreme Court of California convened in its courtroom in the Ronald Reagan State Office Building, Third Floor, South Tower, 300 South Spring Street, Los Angeles, California, on January 5, 1998, at 2:00 p.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Mosk, Kennard, Baxter, Werdegarr, Chin, and Brown.

Officers present: Robert F. Wandruff, Clerk; George Rodgers, Harry Kinney, and Walter Grabowski, Bailiffs.

S039738 Timothy Curran, Appellant
v.
Mount Diablo Council of the Boy Scouts of America, Appellant
Cause called. Jon W. Davidson argued for Appellant Curran.
George A. Davidson argued for Appellant Boy Scouts.
Mr. Davidson replied.
Cause submitted.

S039161 Michael Randall et al., Respondents
v.
Orange County Council Boy Scouts of America et al., Appellants
Cause called. George A. Davidson argued for Appellants.
James Grafton Randall opened argument for Respondents.
Taylor Flynn continued argument for Respondents.
Mr. Davidson replied.
Cause submitted.

Chief Justice George, not participating in consideration of the following case, did not take the bench.

The Honorable Thomas F. Crosby, Jr., Court of Appeal, Fourth Appellate District, Division 3, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S037992 In re John George Brown
 on
 Habeas Corpus
 Cause called. Michael M. Crain argued for Petitioner.
 Robert M. Foster, Supervising Deputy Attorney General, argued
 for Respondent.
 Mr. Crain replied.
 Cause submitted.

Court recessed until 9:00 a.m., Tuesday, January 6, 1998.

S057098 Ralph Cotran, Plaintiff and Respondent
 v.
 Rollins Hudig Hall International, Inc., et al.,
 Defendants and Appellants
 The judgment of the Court of Appeal is affirmed.

Brown, J.

We Concur:

George, C.J.

Baxter, J.

Werdegar, J.

Chin, J.

Concurring Opinion by Mosk, J.

I Concur:

Werdegar, J.

Concurring and Dissenting Opinion by Kennard, J.

S057125 Birbrower, Montalbano, Condon & Frank, P.C., et al., Petitioners
 v.
 The Superior Court of Santa Clara County, Respondent;
 ESQ Business Services, Inc., Real Party in Interest
 . . . [we] affirm the Court of Appeal judgment to the extent it
 concluded that Birbrower's representation of ESQ in California
 violated section 6125, and that Birbrower is not entitled to recover
 fees under the fee agreement for its local services. We reverse the

judgment to the extent the court did not allow Birbrower to argue in favor of a severance of the illegal portion of the consideration (for the California fees) from the rest of the fee agreement, and remand for further proceedings consistent with this decision.

Chin, J.

We Concur:

George, C.J.

Mosk, J.

Baxter, J.

Werdegar, J.

Brown, J.

Dissenting Opinion by Kennard, J.

S057534 People, Plaintiff and Appellant

v.

Reginald Eugene Williams, Defendant and Respondent

. . . [we] conclude that we must affirm the judgment of the Court of Appeal to the extent that it sets aside the superior court's order vacating the finding under the Three Strikes law that Williams had previously been convicted of the serious felony of attempted robbery, on its own motion, "in furtherance of justice" pursuant to Penal Code section 1385(a). We must otherwise reverse the judgment of the Court of Appeal with directions to vacate the judgment of the superior court and remand the cause to that court for proceedings not inconsistent with the views expressed in this opinion.

It is so ordered.

Mosk, J.

We Concur:

Kennard, J.

Werdegar, J.

Brown, J.

Concurring and Dissenting Opinion by Baxter, J.

We Concur:

George, C.J.

Chin, J.

1st Dist. Vincent Hines, Petitioner
A080809 v.
Div. 1 San Francisco County Superior Court, Respondent
S066476 People, Real Party in Interest
Application for stay and petition for review DENIED.

S055024 In the Matter of the Suspension of Attorneys
Pursuant to Rule 962, California Rules of Court
TODD ROBERT CORREN, #85790, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **TODD ROBERT CORREN**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after **February 4, 1998**.

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S062861 In re Lawrence Crawford Bragg on Discipline
Application for stay DENIED. (See Cal. Rules of Court, rule 951(e).)